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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,050

07/08/2003

Kang Soo Seo

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30593 7590 04/02/2009
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EXAMINER

ZHAO, DAQUAN

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

04/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/614,050

Applicant(s)

SEO ET AL.

Examiner

DAQUAN ZHAO

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/15/2009 have been fully considered but they are not persuasive.
2. Applicant argues, on pages 8-10, of the remark, a GOP is not a packet interval. The examiner disagrees.
3. Column 23, lines 26-49 of Okada et al teaches a GOP is a fixed time interval. The examiner recognizes the fixed time interval of a GOP is equivalent to the fixed packet interval because the basic units in the conventional DVD art are packets, such as video packet, audio packet and sub-picture packet. Each GOP must comprise plurality of video packets (see figure 6A of Okada et al). In fact, a movie or video program with longer time length must have more video, audio and sub-picture packets. Therefore, the fixed time interval of a GOP is equivalent to the fixed packet interval.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8, 10, 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al (US 6,181,870 B1) in view of Seo et al (US 2002/0,006,273 A1), hereinafter referenced as Seo.

For claim 8, Okada teaches teach a computer-readable medium having a data structure for managing video data recorded on the computer-readable medium (e.g. figure 6A shows the data structure of video stream recorded on the DVD, column 16, lines 22-60), comprising:

- a data area storing a plurality of data packets including source packets of at least video data of a stream including a plurality of clip files recorded on the recording medium (e.g. figure 6A, a video stream contains plurality of GOP, wherein each GOP contains plurality of video packets, column 16, lines 44-60);
- a plurality of time control information areas (e.g. Figure 6H, plurality of GOP contain plurality of video packets, where a PTS and a DTS can be assigned once to each GOP, column 23, lines 26-49), representing decoding time interval information (e.g. interval corresponds to the GOP), each of said plurality of time control information areas recorded at a fixed time interval in a corresponding one of said plurality of data packets of the stream (e.g. figure 6H, PTS and DTS in one packet header).
- a management area storing management information for managing reproduction of the stream, the management information including an information file associated with each clip file providing a map for the

associated clip file, each map mapping presentation time information to address information for the associated clip file (e.g. column 80, lines 51-67 and figure 12A, time map table).

- wherein the said fixed packet interval corresponds to at least two transport stream packets or source packets (the interval of a GOP must corresponds to at least tow video packet, figure 6A shows a interval of a GOP contains at least two video "packet" in the interleaving Pack Sequence).

However, Okada fail to teach each of the data packets comprises a transport stream packet having 188 bytes or a source packet having a header and the transport stream packet. Seo teach ach of the data packets comprises a transport stream packet having 188 bytes or a source packet having a header and the transport stream packet (e.g. figure 4 of Seo shows each transport packet has a packet size or 188 bytes). Column 16, lines 21-26 of Okada teach the packet size is 2K bytes, or 2048 bytes in the conventional DVD art, and Seo teach the packet size is 188 bytes. It would have been obvious to one ordinary skill in the art at the time the invention was made to replace the 2048 bytes data packet of Okada with the 188 bytes of Seo for the same purpose of video recording and playback. Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art (KSR, 550 U.S. at ___, 82 USPQ2d at 1396).

Claims 10-14 are rejected for the same reasons as set forth in claim 8 above.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada and Seo as applied to claims 1, 8, 10, 11 and 12 above, and further in view of Yoo et al (US 2002/0,150,392 A1).

See the teaching of Okada and Seo above.

For claim 9, Okada et al and Seo fail to specify fixed packet interval is 10 packets. Yoo et al teach a fixed packet interval is 10 packets (paragraph [0033]). It would have been obvious for one ordinary skill in the art at the time the invention was made to have use 10 packets as a fixed interval in the system disclosed by Okada and Seo to simply the data process step and reduce the time for data processing.

Applicant's amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEG § 706.07 (a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing data of this action. In the event a first reply is filed within TWO MONTHS of the mailing data of this action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period. Then the shortened statutory period will expire on the data the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing data of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the data of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/
Examiner, Art Unit 2621

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621